

CHAPTER 71

(HB 219)

AN ACT relating to lung cancer screening.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 214 IS CREATED TO READ AS FOLLOWS:

(1) *As used in Sections 1 to 3 of this Act:*

(a) *"Department" means the Department for Public Health in the Cabinet for Health and Family Services; and*

(b) *"Program" means the Lung Cancer Screening Program.*

(2) *The Lung Cancer Screening Program is hereby established within the department for the purpose of:*

(a) *Increasing lung cancer screening;*

(b) *Reducing morbidity and mortality from lung cancer; and*

(c) *Reducing the cost of treating lung cancer among citizens of the Commonwealth.*

(3) *The requirements of Sections 1 to 3 of this Act shall be limited to the amount of appropriations to the department for the Lung Cancer Screening Program.*

➔SECTION 2. A NEW SECTION OF KRS CHAPTER 214 IS CREATED TO READ AS FOLLOWS:

(1) (a) *There is hereby created a restricted fund to be known as the Kentucky Lung Cancer Screening Program fund.*

(b) *The fund shall be administered by the Finance and Administration Cabinet.*

(c) *The fund shall include moneys:*

1. *Appropriated by the General Assembly for the purpose of the Lung Cancer Screening Program; and*

2. *Distributed by the Transportation Cabinet from extra fees associated with the issuance of any special lung cancer license plates.*

(2) *Moneys in the fund shall be used by the department to administer Sections 1 to 3 of this Act.*

(3) *Notwithstanding KRS 45.229, any moneys remaining in the fund at the close of the fiscal year shall not lapse but shall be carried forward into the succeeding fiscal year to be used solely for the purposes established in subsection (2) of this section.*

(4) *Interest earned on any moneys in the fund shall accrue to the fund.*

(5) *Moneys in the fund are hereby appropriated solely for the purposes set forth in Sections 1 to 3 of this Act.*

➔SECTION 3. A NEW SECTION OF KRS CHAPTER 214 IS CREATED TO READ AS FOLLOWS:

(1) *A Lung Cancer Screening Advisory Committee is hereby established. The advisory committee shall include:*

(a) *One (1) member of the House of Representatives who shall be appointed by and serve at the pleasure of the Speaker of the House;*

(b) *One (1) member of the Senate who shall be appointed by and serve at the pleasure of the President of the Senate;*

(c) *The deputy commissioner of the Department for Public Health;*

(d) *The commissioner of the Department of Insurance, or his or her designee;*

(e) *The commissioner of the Department for Medicaid Services, or his or her designee;*

(f) *Two (2) at-large members who shall be appointed by the Governor;*

- (g) *One (1) member who shall be appointed by the Governor from a list of three (3) names provided by the American Cancer Society;*
 - (h) *The director of the Kentucky Cancer Program at the University of Kentucky;*
 - (i) *The director of the Kentucky Cancer Program at the University of Louisville;*
 - (j) *The director of the Kentucky Cancer Registry;*
 - (k) *The director of the American Lung Association of Kentucky;*
 - (l) *The chair of Kentucky African Americans Against Cancer; and*
 - (m) *The director of the Kentucky Cancer Consortium.*
- (2) *The chair of the advisory committee shall be elected from the membership of the advisory committee to serve for a two (2) year term. A member of the advisory committee may designate an alternate to attend meetings in his or her place.*
- (3) *The advisory committee may add members of subject matter expertise from other organizations as deemed appropriate.*
- (4) *The advisory committee shall:*
- (a) *Review relevant data, clinical guidelines, and best practices for lung cancer screening;*
 - (b) *Provide recommendations for the overall implementation and conduct of the program with the goal of improving access to high quality lung cancer screening;*
 - (c) *Establish and provide oversight for a lung cancer screening, public awareness, education, and outreach program to focus on individuals who are eligible for lung cancer screening; and*
 - (d) *Provide an annual report on implementation and outcomes from the program and recommendations to the Legislative Research Commission, the Interim Joint Committee on Health, Welfare, and Family Services, the Interim Joint Committee on Appropriations and Revenue, the Governor, the secretary of the Cabinet for Health and Family Services, and the commissioner of the Department for Public Health.*

➔Section 4. Members appointed under subsection (1)(f) and (g) of Section 3 of this Act shall be appointed for a term of four years, and members shall not serve more than two terms of four years. Members serving under subsection (1)(c) to (e) and (h) to (m) of Section 3 of this Act shall serve by virtue of their positions and shall not be subject to term limits.

➔Section 5. This Act may be cited as the Margaret M. Poore Lung Cancer Screening Act.

Signed by Governor March 31, 2022.